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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/592,086

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Richard Marc Libman

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BERRY & ASSOCIATES P.C.
9255 SUNSET BOULEVARD
SUITE 810
LOS ANGELES, CA 90069

EXAMINER

ALVAREZ, RAQUEL

ART UNIT

PAPER NUMBER

3688

MAIL DATE

DELIVERY MODE

05/01/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/592,086	Applicant(s) LIBMAN, RICHARD MARC	
	Examiner Raquel Alvarez	Art Unit 3688	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-52, 54-69, 71-96, 98-115, 117-142, 144-159, 164-166, 168-170, 179, 180, 182, 185-187, 189, 190, 194, 195, 197, 205, 206, 209 and 210 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims pending in the application are 1-52,54-69,71-96,98-115,117-142,144-159,164-166,168-170,179,180,182,185-187,189,190,194,195,197,205,206,209 and 210.

DETAILED ACTION

1. This office action is in response to communication filed on 2/19/2009.
2. Claims 1-52, 54-69, 71-96, 98-115, 117-142, 144-159, 164-166, 168-170, 179-180, 182, 185-187, 189-190, 194-195, 197, 205-206 and 209-210 are presented for examination.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-52, 54-69, 71-96, 98-115, 117-142, 144-159, 164-166, 168-170, 179-180, 182, 185-187, 189-190, 194-195, 197, 205-206 and 209-210 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan et al.(5,655,085 hereinafter Ryan) in view of Official Notice.

With respect to claims Ryan teaches 1, 54-58, 64, 117-121, 127-131, 143, 145-148, 150-151,153, 154-159, 164-166, 168-169, 179, 182, 185-187, 189-190, 194-195, 197, 209-210 Ryan teaches a computer implemented method of automatically preparing a communication pertaining to a product for a specific entities, with use of a processor and one or more associated databases (Abstract).

1) Using the processor to consider client data on specific entities and determine whether to offer a financial product or a financial service or both to the specific entities (see Figure 7);

(2) The processor makes a determination to offer said financial product or said financial service or both to said entity, then the processor uses client specific decision information to automatically selects parts of variable information from at least two different databases with client data and financial product data to determine the variable information specific to each specific entity and selects the parts of the variable information determined for inclusion in a communication formulated to express the offering for said specific entity (i.e. in Block 140, the system retrieves all components needed for a projection of life insurance values: product-specific data from data tables, stored by product and carrier; information regarding the insured(s) and information regarding the prospective insured(s) life insurance needs and other personal information as solicited and stored in FIG. 3B-1 see Abstract);

(3) Using an output module associated with the processor and configured to use at least one automated process to automatically compose the variable information comprising the parts determined to create and generate the communication for each said specific entity such that at least one portion within the communication accommodates the variable information, wherein said variable information for each specific entity comprises at least partially a customized identification, specification and/or promotion of said financial product or said financial service or both wherein said variable information for each specific entity has at least some data that is different (i.e. customized life insurance product customized to the individual)(Figure 27A).

With respect to the newly amended feature of automatically inputting into the one or more associated databases a plurality of client records without human intervention

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between input of the respective client records, the client records comprising client data on specific entities. Ryan teaches in Block 140, retrieving information regarding prospective insured(s)' from various stored tables (databases). Ryan is silent as to automatically without human intervention inputting the respective client records. Official Notice is taken that it is old and well known to automatically without human intervention to perform any known manual functions such as automatically making payments and entry of a payment on an account. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included in the system of Ryan's retrieval of the information from the various stored tables (databases) for the process to have been performed automatically without human intervention because such a modification would ease the input process by making it faster and easier.

With respect to claims 2-11, 65-69, 71-73 Ryan further teaches storing said data in one or more databases and collecting additional data from one or more sources, and updating said one or more databases with said additional data accessible via modem (Block 140 and Abstract).

With respect to claim 141, Ryan further teaches providing said communication and reply means to said entity electronically (Figures 3D-1 and 3E-1).

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With respect to claim 149, 152 Ryan further teaches selecting a first and second delivering medium that will be used to deliver subsequent communication pertaining to said offer (Figure 3B-8).

With respect to claims 59-63, 122-126, 139-140, 205-206 Ryan further teaches that the services relate to mortgage loan, insurance.

Claims 12-52, 74-96, 98-115, 132-138, 142, 170, 180 further recite selecting the format for the communication and said selected delivering medium. Official notice is taken that it is well known to select different mediums in which to deliver information to users. For example, some users prefer e-mail to regular mail and this is taken into account in order to select the medium in which to deliver information.

Response to Arguments

5. Applicant's arguments have been fully considered but they are not persuasive.
6. With respect to Applicant's arguments pertaining to the newly amended feature of "automatically inputting into the one or more associated databases a plurality of client records without human intervention between input of the respective client records, the client records comprising client data on specific entities", arguments are moot new grounds of rejection.

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7. Applicant argues that Ryan doesn't teach achieving a high volume of offers for multiple clients. The Examiner wants to point out that in Ryan, like the instant application, it is computerized system which outputs an offer for a particular product, and then moves on to the next client. Multiple or various/many/ high volume of offers for multiple clients are possible in the system of Ryan. In the system of Ryan, like the instant invention an offer is output one at a time. Applicant's invention or claim support printing offers for different entities/customers at the same period of time.

8. Applicant argues that Ryan doesn't teach using said processor to consider the client data on the specific entities. The Examiner wants to point that in the instant application, certain or a pool of products or services have to be selected that can be offered to the customers. There's no possible way that the system can select product/services out of thin air without having some sort of database of products or services that the processor can choose from and then having a processor match the client's information to one of the products/services. If that's not the case then Applicant must show in the specification how a processor selects a product/service without having a product/service database of known products/services. The Examiner wants to point out that in Ryan, based on the user's information a product/service such as insurance product or the like is created for the client. The processor determines what type of insurance policy, limits and price to offer to the particular client based on the entered information. The product/service in Ryan is customized by a processor.

9. Applicant argues that varying information is not the same as variable information. The Examiner disagrees with Applicant because based on the customer's information

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entered for a particular customer, the variable information or the information that is to be displayed or output is based on the product that will be offer to that particular client. Based on the product or service to be offered to the client, the text data changes. The processor determines what product/service to offer the client and it leads to the variable information that would be inserted into the communication/offer, etc.

10. Applicant argues that Ryan does not teach displaying customized insurance policy with different amount and terms based on the user's information. The Examiner disagrees with Applicant because Ryan teaches on Figures 7, 9 and 14 that based on the user's information, a customized insurance policy is outputted to the client (see Figure 27A). Each policy will be individually customized based on the individual's information.

11. Applicant argues that Ryan is not an automated process and that in Ryan, the illustration is chosen manually. The Examiner disagrees with Applicant because in Ryan, the user's information is inputted into the system, and the processor chooses which illustration and variable information to be outputted based on the user's information. The type of policy or variable information is chosen by the processor based on the information entered.

Point of contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raquel Alvarez whose telephone number is (571)272-6715. The examiner can normally be reached on 9:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James w. Myhre can be reached on (571)272-6722. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Raquel Alvarez/
Primary Examiner, Art Unit 3688

Raquel Alvarez
Primary Examiner
Art Unit 3688

R.A.
4/29/2009